

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dennis Schultz

Serial No. 10/660,331

Filed: September 11, 2003

For: LOBED DRIVE FOR HI-LITE
FASTENER

Examiner: Flemming Saether

Group Art Unit 3677

Docket No. HISHE 65460

Los Angeles, California 90045

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTIONUNDER 37 C.F.R. 1.321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, HI-SHEAR CORPORATION, a California corporation having a place of business at 2600 Skypark Drive, Torrance, California 90509, is the assignee and owner of 100 percent interest in the instant application, Serial No. 10/660,331, filed on September 11, 2003, for LOBED DRIVE FOR HI-LITE FASTENER, which is a continuation of Serial No. 10/052,238, filed January 16, 2002, now Patent No. 6,655,888, as recorded at reel 012819 Frame 0311 in connection with Serial No. 10/052,238. The assignment document has been reviewed, and petitioner hereby certifies that, to the best

of petitioner's knowledge and belief, title in the instant application, Serial No. 10/660,331, is in petitioner.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,736,580, issued May 18, 2004, which is also owned by petitioner. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior Patent No. 6,736,580 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

7-25-05
Date

James W. Paul
Reg. No. 29,967